V. Inspectors will send their weekly Diaries and Crime Sheets to the Divisional Officers and Inspectors and Assistant Inspectors will submit their Abstract Statements of Inspection to the Deputy Commissioners of Districts.

VI. Assistant Inspectors and Sub-Inspector will send their weekly Diaries, &c., to the Inspectors, who will submit them with their remarks to the Divisional Officers.

No. 11289—*Ex. F.* 3-1901, *dated 7th January* 1902.

Under Section 5 (2) of the Excise Regulation, V of 1901, the Government of Mysore make the following Rules :—

I. The Excise Commissioner may from time to time delegate to the Deputy Excise Commissioner, Assistant Commissioners in charge of Excise Divisions and Inspectors, his power to require manufacturers of liquor and vendors of liquor to measure out or to test the strength or quality of any such liquor in their possession.

II. He may also delegate to the Deputy Commissioners of Districts, Deputy Excise Commissioner, Assistant Commissioners in charge of Excise Divisions, Excise Inspectors and Assistant Inspectors, &c., so much as he shall see fit of his other powers under the Excise Regulation or those delegated to him by Government.

III. The Deputy Commissioners of Districts may delegate to the Excise Divisional Officers, Excise Inspectors and Assistant Inspectors, Revenue Assistant Commissioners, Amildars and Deputy Amildars, so much as they shall see fit of their powers under the Excise Regulation, or those delegated to them by Government, or which may be delegated to them by the Excise Commissioner.

By Order,
H. V. NANJUNDAYYA,
Secy. to Govt., Gen. & Rev. Depts.

NOTIFICATION.

No. 11449—*Legis.* 69, *dated Bangalore, the* 9*th January* 1902.

The accompanying Draft of a Regulation to amend the Law of Evidence with respect to Bankers' Books, which is under the consideration of Government, is published for general information, with a Statement of Objects and Reasons :—

By Order,
H. V. NANJUNDAYYA,
Secy. to Govt., Gen. & Rev. Depts.

DRAFT REGULATION.

A Regulation to amend the Law of Evidence with respect to Bankers' Books.

Whereas it is expedient to amend the Law of Evidence with respect to Bankers' Books ; Her Highness the Maharani-Regent is pleased to enact as follows :—

Title, extent and commencement.

1. (1) This Regulation may be called the Bankers' Books Evidence Regulation, 190 .

(2) It extends to the whole of Mysore ; and

(3) It shall come into force at once.

Definitions.

2. In this Regulation, unless there is something repugnant in the subject or context,—

(1) "company" means a company registered under any of the enactments relating to companies for the time being in force in Mysore or in the United Kingdom or any of the Colonies or Dependencies thereof or in British India, or incorporated by an Act of Parliament or of the Governor General in Council, or by Royal Charter or Letters Patent :

(2) "bank" and "banker" mean—

(*a*) any company carrying on the business of bankers,

(*b*) any partnership or individual to whose books the provisions of this Regulation shall have been extended as hereinafter provided,

(*c*) any Post Office Savings Bank or Money Order Office :

(3) "bankers' books" include ledgers, day-books, cash-books, account-books and all other books used in the ordinary business of a bank :

(4) "legal proceeding" means any proceeding or inquiry in which evidence is or may be given, and includes an arbitration :

(5) "the Court" means the person or persons before whom a legal proceeding is held or taken :

(6) "Judge" means a Judge of the Chief Court :

(7) "trial" means any hearing before the Court at which evidence is taken : and

"certified copy" means a copy of any entry in the books of a bank together with a certifi written at the foot of such copy that it is a true copy of such entry, that such entry

is contained in one of the ordinary books of the bank and was made in the usual and ordinary course of business, and that such book is still in the custody of the bank, such certificate being dated and subscribed by the principal accountant or manager of the bank with his name and official title.

Power to extend provisions of Regulation.

3. The Government may, from time to time, by notification in the official Gazette, extend the provisions of this Regulation to the books of any partnership or individual carrying on the business of bankers in Mysore, and keeping a set of not less than three ordinary account books, namely, a cash-book, a day-book or journal, and a ledger, and may in like manner rescind any such notification.

Mode of proof of entries in bankers' books.

4. (1) Subject to the provisions of this Regulation, a certified copy of any entry in a bankers' book shall in all legal proceedings be received as *prima facie* evidence of the existence of such entry, and shall be admitted as evidence of the matters, transactions and accounts therein recorded in every case where, and to the same extent as, the original entry itself is now by law admissible but not further or otherwise.

(2) In the case of a company not carrying on business in Mysore, a certified copy of any entry in a bankers' book kept by it may be similarly dealt with if, for reasons to be recorded in writing, the Court thinks fit to do so.

Case in which officer of Bank not compellable to produce books.

5. No officer of a bank shall in any legal proceeding to which the bank is not a party be compellable to produce any bankers' book the contents of which can be proved under this Regulation, or to appear as a witness to prove the matters, transactions and accounts therein recorded, unless by order of the Court or a Judge made for special cause.

Inspection of books by order of Court or Judge.

6. (1) On the application of any party to a legal proceeding, the Court or a Judge may order that such party be at liberty to inspect and take copies of any entries in a bankers' book for any of the purposes of such proceeding, or may order the bank to prepare and produce, within a time to be specified in the order, certified copies of all such entries, accompanied by a further certificate that no other entries are to be found in the books of the bank relevant to the matters in issue in such proceeding, and such further certificate shall be dated and subscribed in manner hereinbefore directed in reference to certified copies.

(2) An order under this or the preceding section may be made either with or without summoning the bank, and shall be served on the bank three clear days (exclusive of bank holidays) before the same is to be obeyed, unless the Court or Judge shall otherwise direct.

(3) The bank may at any time before the time limited for obedience to any such order as aforesaid either offer to produce their books at the trial or give notice of their intention to show cause against such order, and thereupon the same shall not be enforced without further order.

Costs.

7. (1) The costs of any application to the Court or a Judge under or for the purposes of this Regulation, and the costs of anything done or to be done under an order of the Court or a Judge made under or for the purposes of this Regulation, shall be in the discretion of the Court or Judge, who may further order such costs or any part thereof to be paid to any party by the bank, if they have been incurred in consequence of any fault or improper delay on the part of the bank.

(2) Any order made under this section for the payment of costs to or by a bank may be enforced as if the bank were a party to the proceeding.

(3) Any order under this section awarding costs may, on application to any Court of Civil Judicature designated in the order, be executed by such Court as if the order were a decree for money passed by itself.

Provided that nothing in this section shall be construed to derogate from any power which the Court or Judge making the order may possess for the enforcement of its or his directions with respect to the payment of costs.

STATEMENT OF OBJECTS AND REASONS.

1. The object of this Draft Regulation, which has beendrawn up on the recommendation of the Chief Court, is to apply to Mysore the provisions of the Bankers' Books Evidence Act, XVIII of 1891, under which copies of entries in bankers' books are made receivable in evidence in British India under certain conditions.

2. As regards companies not carrying on business in Mysore, and in respect of which compulsory proceedings under Sections 5, 6 and 7 would not generally be feasible, it has nevertheless been considered desirable not to exclude them altogether from the benefit of the proposed law, but to make it discretionary with the Court to admit in evidence certified copies of bankers' books kept by them if, for reasons to be recorded by it in writing, the Court thinks fit to do so—(clause 2 of Section 4 of the Draft).

6-1-2. K. S

No. 11464—*Ex. F.* 3-1901, *dated* 10*th January* 1902.

Under Sections 24 and 29 of the Excise Regulation, V of 1901, and in exercise of all other powers enabling them in this behalf, the Government of Mysore are pleased to prescribe the following form of license for the sale of Akki bhoja (Rice Beer).

By Order,
H. V. NANJUNDAYYA,
Secy. to Govt., Gen. & Rev. Depts.

MYSORE EXCISE DEPARTMENT.

LICENSE FOR RETAIL SALE OF AKKI BHOJA (RICE BEER).

1. Register No.—
2. Name of License Holder—
3. Name of Vendor—
4. Locality—

I, ... Deputy Commissioner, ... District, to hereby authorize ..... to sell by retail Akki bhoja (Rice Beer) on the premises No. ..... under the following conditions :—

1. The privilege conferred by the license extends only to the sale of the fermented liquor called Akki bhoja.

2. Each shop shall be maintained in the locality described in the Schedule hereto appended.

3. A license fee of Rs. per annum shall be paid for the shop in advance before the issue of the license.

When more than one application are presented for any shop, the license will be put up to public auction, and the amount of license fee payable for such shop will be determined by the result of such auction sale.

4. The licensee shall use such measures as may from time to time be prescribed by Government, and provide himself with the printed forms of accounts and permits or passes for transport of the liquor, which forms shall be purchased from local Excise Officers.

5. That this license be not transferable by sale, gift, mortgage or otherwise without the permission of the Excise Commissioner and that no person except such as are named herein shall have power to act under it.

6. That the Vendor shall equally with the License Holder be responsible in the penalties herein set forth for breach of any of the conditions of the license.

7. No Ganja, Opium or other foreign intoxicant or any noxious substance or other deleterious article prohibited by the Excise Commissioner, shall be used in the preparation of Akki bhoja.

8. The place of manufacture shall be open for inspection of all Excise or other duly empowered officers of Government.

9. Akki bhoja may be sold either from the cask or bottle or other vessel to be drunk on or off the premises, and in the latter case under cover of Passes. The liquor can be removed upon such Passes for consumption up to the limit of one imperial gallon (4 seers).

10. Akki bhoja shall invariably be sold in appointed places only in fairs or shandis and jatras.

11. That the licensee shall not sell or give Akki bhoja in any quantity whatever directly or indirectly to any European or non-commissioned officer or private soldier, nor to any European or East Indian woman connected with or related to men of these classes, nor allow him, her, or them to drink Akki bhoja in his premises or grounds; that he shall not permit drunkenness or disorderly behaviour in his shop or premises, and shall not suffer any gambling whatsoever therein, and shall not knowingly permit prostitutes or persons of notoriously bad character to meet or remain therein; that he shall not wilfully harbour or conceal therein soldiers or others, knowing or having reason to believe such soldiers or others to be deserters; that he shall give information of suspicious characters to the Magistrate or Police officer; and that he shall not sell or give Akki bhoja to any Police officer, Railway servant, or Excise officer, whilst on duty.

12. That he shall fix in a conspicuous place outside of his shop a board on which shall be legibly painted his name, Vendor's name, the number of his shop, and the liquor he is licensed to deal in.

13. That he shall not receive any articles whatsoever in barter or pledge, and that payment for Akki bhoja shall be made in ready money only at not less than ½ anna per seer and proportionately for fractions thereof.